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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,873	03/25/2004	Wolfgang Theilmann	13909-161001	7587
32864	7590	09/20/2006	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			AHLUWALIA, NAVNEET K	
			ART UNIT	PAPER NUMBER
			2166	

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/809,873

Applicant(s)

THEILMANN ET AL.

Examiner

Navneet K. Ahluwalia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>03/25/2004 - 07/11/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The application has been examined. Claims 1 – 26 are pending in this office action.

#### ***Claim Objections***

2. Claim 19 is objected to because of the following informalities: claim 19 recites that “the computer program product of claim 7” whereas claim 7 is a method claim. It is assumed by the examiner that claim 19 was meant to recite “the computer program product of claim 17”. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1 – 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Cook et al. ('Cook' herein after) (US 2002/0168621 A1).

With respect to claim 1,

Cook discloses a method, performed by a processing device, for use in an electronic learning system that stores information as learning objects, the method comprising: designating a target learning object as a project object (paragraph 0077, Cook); storing dependency data in the project object, the dependency data identifying at

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least a version of a first object that depends directly from the project object (paragraph 0078, Cook), and a version of a second object that depends indirectly from the project object (paragraphs 0079 – 0081, Cook).

With respect to claim 2,

Cook discloses the method of claim 1, wherein the version of the second object depends from the version of the first object (paragraphs 0091 – 0092, Cook).

With respect to claim 3,

Cook discloses the method of claim 1, wherein designating comprises storing data in the project object that indicates that the target learning object is the project object (paragraphs 0098 – 0099, Cook).

With respect to claim 4,

Cook discloses the method of claim 1, wherein the target learning object comprises a portal to other learning objects in the electronic learning system (paragraphs 0099 – 0100, Cook).

With respect to claim 5,

Cook discloses the method of claim 1, wherein the other learning objects define a course offered via the electronic learning system (paragraph 0079, Cook).

With respect to claim 6,

Cook discloses the method of claim 4, wherein the target learning object comprises a glossary of a course (paragraph 0081, Cook).

With respect to claim 7,

Cook discloses the method of claim 1, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the method further comprises: identifying learning objects that depend from the project object, moving the project object and learning objects that depend from the project object between the local repository and the master repository (paragraphs 0104 – 0106, Cook).

With respect to claim 8,

Cook discloses the method of claim 1, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the method further comprises: copying the version of the first object from the master repository to the local repository without copying the project object to the local repository and resolving dependencies associated with the version of the first object in accordance with a predefined rule (paragraphs 0140 – 0142, Cook).

With respect to claim 9,

Cook discloses the method of claim 8, wherein the version of the first object depends on the second object, and resolving comprises making the version of the first object depend on a most current version of the second object in the local repository (paragraph 0104, Cook).

With respect to claim 10,

Cook discloses the method of claim 1, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the method further comprises: copying the project object, the version of the first object, and the version of the second object from the master repository to the local repository (paragraph 0104, Cook); creating a second version of the first object; and updating the dependency data in the project object to reference the second version of the first object (paragraphs 0140 – 0142, Cook).

With respect to claim 11,

Cook discloses the method of claim 1, wherein at least one of the first and second objects stores information about a dependent object (paragraphs 0283 – 0285, Cook).

With respect to claim 12,

Cook discloses the method of claim 11, wherein the information comprises an identity of the dependent object (paragraph 0285, Cook).

With respect to claim 13,

Cook discloses the method of claim 1, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the method further comprises: copying the version of the first object from the master repository to the local repository without copying the project object to the local repository (paragraph 0104, Cook); and resolving dependencies associated with the version of the first object in favor of current versions of objects on which the first object depends (paragraph 0110, Cook).

With respect to claim 14,

Cook discloses a computer program product for use in an electronic learning system that stores information as learning objects, the computer program product being tangibly embodied in an information carrier, the computer program product being operable to cause a machine to: designate a target learning object as a project object (paragraph 0077, Cook); store dependency data in the project object, the dependency data identifying at least a version of a first object that depends directly from the project

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object (paragraph 0078, Cook), and a version of a second object that depends indirectly from the project object (paragraphs 0079 – 0081, Cook).

With respect to claim 15,

Cook discloses the computer program product of claim 14, wherein the version of the second object depends from the version of the first object (paragraphs 0091 – 0092, Cook).

With respect to claim 16,

Cook discloses the computer program product of claim 14, wherein designating comprises storing data in the project object that indicates that the target learning object is the project object (paragraphs 0098 – 0099, Cook).

With respect to claim 17,

Cook discloses the computer program product of claim 14, wherein the target learning object comprises a portal to other learning objects in the electronic learning system (paragraphs 0099 – 0100, Cook).

With respect to claim 18,

Cook discloses the computer program product of claim 14, wherein the other learning objects define a course offered via the electronic learning system (paragraph 0079, Cook).



With respect to claim 19,

Cook discloses the computer program product of claim 7, wherein the target learning object comprises a glossary of a course (paragraph 0081, Cook).

With respect to claim 20,

Cook discloses the computer program product of claim 14, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the computer program product further comprises instructions operable to cause the machine to: identify learning objects that depend from the project object, move the project object and learning objects that depend from the project object between the local repository and the master repository (paragraphs 0104 – 0106, Cook).

With respect to claim 21,

Cook discloses the computer program product of claim 14, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the computer program product further comprises instructions operable to cause the machine to: copy the version of the first object from the master repository to the local repository without copying the project object to the local repository and resolve dependencies associated with the version of the first object in accordance with a

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predefined rule (paragraphs 0140 – 0142, Cook).

With respect to claim 22,

Cook discloses the computer program product of claim 14, wherein the version of the first object depends on the second object, and resolving comprises making the version of the first object depend on a most current version of the second object in the local repository (paragraph 0104, Cook).

With respect to claim 23,

Cook discloses the computer program product of claim 14, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the computer program product further comprises instructions operable to cause the machine to: copy the project object, the version of the first object, and the version of the second object from the master repository to the local repository (paragraph 0104, Cook); create a second version of the first object; and update the dependency data in the project object to reference the second version of the first object (paragraphs 0140 – 0142, Cook).

With respect to claim 24,

Cook discloses the computer program product of claim 14, wherein at least one of the first and second objects stores information about a dependent object (paragraphs

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0283 – 0285, Cook).

With respect to claim 25,

Cook discloses the computer program product of claim 14, wherein the information comprises an identity of the dependent object (paragraph 0285, Cook).

With respect to claim 26,


Cook discloses the computer program product of claim 14, wherein the electronic learning system comprises a master repository that stores globally-available learning objects and a local repository that stores locally-available learning objects, and the computer program product further comprises instructions to: copy the version of the first object from the master repository to the local repository without copying the project object to the local repository (paragraph 0104, Cook); and resolve dependencies associated with the version of the first object in favor of current versions of objects on which the first object depends (paragraph 0110, Cook).


**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Navneet K. Ahluwalia whose telephone number is 571-272-5636. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam T. Hosain can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Navneet K. Ahluwalia  
Examiner  
Art Unit 2166

  
MOHAMMAD ALI  
PRIMARY EXAMINER

Dated: 09/15/2006